

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LISA BROWN, M.D.

Plaintiff,

v.

HAMOT MEDICAL CENTER,

Defendant.

Civil Action No. 05-32 Erie

MEMORANDUM ORDER

This case has become bogged down in some unfortunate discovery disputes. The court is of the opinion that counsel for both parties have conducted themselves vigorously in behalf of their clients but at the same time within ethical bounds. We are not so sure about the conduct of the parties themselves. There has appeared to be foot-dragging on both sides.

Any legal case is not only a search for truth but a search for justice. This can only be achieved when all parties abide by the law and the rules of court.

We are going to assume that both parties will take this Memorandum Order to heart and abide by the counsel of their respective attorneys, for an attorney-at-law is also a "counselor-at-law." Based on that assumption, and noting that the deposition of plaintiff has now been completed, we enter the following order:

AND NOW, to-wit, this 6th day of March, 2006, IT IS HEREBY ORDERED THAT:

1.) "Plaintiff's Motion for Partial Reconsideration of January 30, 2006 Order Granting Motion to Compel" (Doc. 27) is GRANTED IN PART. That portion of the Order (Doc. 25) requiring plaintiff to reimburse defendant for all fees and costs incurred in connection with defendant's motion to compel and in connection with the completion of plaintiff's deposition is

hereby VACATED; and

2.) Plaintiff's suggestion (Doc. 27-1) that the court should impose against the defendant the expenses connected with the motion to compel which the court granted on plaintiff's behalf is DENIED.


Maurice B. Cohill, Jr.
Senior United States District Judge

cc: record counsel